

House Amendment 1401

PAG LIN

1 1 Amend House File 687 as follows:
1 2 #1. Page 2, line 3, by striking the word
1 3 <registered>.
1 4 #2. Page 2, line 5, by striking the word
1 5 <registered>.
1 6 #3. Page 2, by inserting after line 6 the
1 7 following:
1 8 <c. For purposes of this subsection, "owner" means
1 9 a person who holds the legal title to a motor vehicle;
1 10 however, if the motor vehicle is the subject of a
1 11 security agreement with a right of possession in the
1 12 debtor, the debtor shall be deemed the owner for
1 13 purposes of this subsection, or if the motor vehicle
1 14 is leased as defined in section 321.493, the lessee
1 15 shall be deemed the owner for purposes of this
1 16 subsection.

1 17 Sec. _____. Section 321.372A, subsection 2,
1 18 paragraph b, Code 2005, is amended to read as follows:

1 19 b. If, from the investigation, the peace officer
1 20 has reasonable cause to believe that a violation of
1 21 section 321.372, subsection 3, occurred but is unable
1 22 to identify the driver, the peace officer shall serve
1 23 a uniform traffic citation for the violation to the
1 24 owner of the motor vehicle. Notwithstanding section
1 25 321.484, in a proceeding where the peace officer who
1 26 conducted the investigation was not able to identify
1 27 the driver of the motor vehicle, proof that the motor
1 28 vehicle described in the uniform traffic citation was
1 29 used to commit the violation of section 321.372,
1 30 subsection 3, together with proof that the defendant
1 31 named in the citation was the ~~registered~~ owner of the
1 32 motor vehicle at the time the violation occurred,
1 33 constitutes a permissible inference that the
1 34 ~~registered~~ owner was the driver who committed the
1 35 violation.

1 36 Sec. _____. Section 321.372A, subsection 2, Code
1 37 2005, is amended by adding the following new
1 38 paragraph:

1 39 NEW PARAGRAPH. c. For purposes of this
1 40 subsection, "owner" means a person who holds the legal
1 41 title to a motor vehicle; however, if the motor
1 42 vehicle is the subject of a security agreement with a
1 43 right of possession in the debtor, the debtor shall be
1 44 deemed the owner for purposes of this subsection, or
1 45 if the motor vehicle is leased as defined in section
1 46 321.493, the lessee shall be deemed the owner for
1 47 purposes of this subsection.>

1 48 #4. Title page, line 1, by inserting after the
1 49 word <for> the following: <school bus warning device
1 50 and>.

2 1 #5. By renumbering as necessary.

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2 5 RAYHONS of Hancock

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2 9 BUKTA of Clinton
2 10 HF 687.301 81
2 11 dea/cf/1130